

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Arkansas Department of Education
DIVISION ACCOUNTABILITY
DIVISION DIRECTOR Dr. Charity Smith
CONTACT PERSON Annette Barnes
ADDRESS #4 Capitol Mall, Little Rock, AR 72201
PHONE NO. 501-682-4393 FAX NO. _____ E-MAIL _____

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire & financial impact statement attached to the front of two (2) copies of your proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

.....

- 1. What is the short title of this rule? **Rules Governing Mandatory Attendance Requirements for Students in Grades 9 - 12**
- 2. What is the subject of the proposed rule?
Mandatory Attendance for Students in Grade 9-12
- 3. Is this rule required to comply with federal statute or regulations? Yes _____ No X _____
If yes, please provide the federal regulation and/or statute citation.
- 4. Was this rule filed under the emergency provisions of the Administrative Procedures Act?
Yes _____ No X _____
If yes, what is the effective date of the emergency rule?

When does the emergency rule expire?

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes _____ No _____

5. Is this a new rule? Yes ☒ No ☐ If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes ☐ No ☒ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes ☐ No ☒ If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes. **NOTE: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law grants the authority for this proposed rule. If codified, please give Arkansas Code citation.

Ark. Code Ann. § 6-18-211

7. What is the purpose of this proposed rule? Why is it necessary? **The purpose of these rules is to establish the dates and times for implementation of the rules, establish guidelines to allow local school boards of directors to develop policies regarding attendance requirements for students in grades nine through twelve, identify courses and programs that may be used to satisfy the requirements, and identify exceptions.**

8. Will a public hearing be held on this proposed rule? Yes ☒ No ☐
If yes, please complete the following:

Date: **3/15/04**

Time: **9:00 a.m.**

Place: **ADE Auditorium**

9. When does the public comment period expire for permanent promulgation? (Must provide a date.) **April 19, 2004**

10. What is the proposed effective date of this proposed rule? (Must provide a date.)
July 16, 2004 for the 2004-2005 school year

11. Do you expect this rule to be controversial? Yes ☒ No ☐
If yes, please explain.

Rule limits time during school day for extracurricular activities

12. Please give the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known.

Students grades 9-12

Parents of students grades 9-12

Administrators (superintendents and principals of grades 9-12)

SUMMARY

Proposed Rules Governing the Mandatory Attendance Requirements for Students in Grades Nine through Twelve

The purpose of these rules is to establish the dates and times for implementation of the rules, establish guidelines to allow local school boards of directors to develop policies regarding attendance requirements for students in grades nine through twelve, identify courses and programs that may be used to satisfy the requirements, and identify exceptions.

FINANCIAL IMPACT STATEMENT

DEPARTMENT Arkansas Department of Education
DIVISION Accountability
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ FAX NO. _____ EMAIL _____

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

Rules Governing Mandatory Attendance for Students in Grades 9-12

Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes X No _____

2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

A financial impact statement should be based on a survey of schools (grades 9-12) regarding:

- A) current student attendance (partial or full school day);
- B) student enrollment in vocational-educational training, college courses, school work programs, and other department sanctioned programs;
- C) student interest in programs listed in 2 B;
- D) transportation (distance and cost) to programs listed in 2 B;
- E) student interest in on-campus courses; and
- F) average teacher salary.

Projected costs would include:

- A) teacher salary and benefits to add staff members for additional on-campus classes;
- B) cost of transportation to off-campus programs; and
- C) additional facilities and materials needed for on-campus classes.

3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Acts 884 and 1253 of 1995)

Regulation Title: **Rules Governing Mandatory Attendance Requirements for Students in Grades 9-12**

Summary Description of Regulatory Proposal: **The purpose of these rules is to establish the dates and times for implementation of the rules, establish guidelines to allow local school boards of directors to develop policies regarding attendance requirements for students in grades nine through twelve, identify courses and programs that may be used to satisfy the requirements, and identify exceptions.**

Cite Statutory Authority for this Regulatory Proposal:

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space.
 Additional personnel will be necessary to meet the requirement of on-site monitoring every two years and follow-up in cases of non-compliance.
 - B. Time Required for Implementation.
 - C. Procedural Changes.
 - D. Other.
- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space.
 - B. Time Required for Implementation.
 - C. Procedural Changes.
 - D. Other.
- III. Additional Comments.

Prepared by: **Staff**
 Standards Assurance Unit
 March 12, 2004